

United States District Court  
DISTRICT OF NEW MEXICO

EXHIBIT B

UNITED STATES OF  
AMERICA,

*Plaintiff,*

v.

WILLIAM C.  
GARDNER, DDS,

*Defendant.*

No. 1:22-cv-00830-JB-JFR

**PLAINTIFF’S FIRST REQUESTS FOR ADMISSION,  
INTERROGATORIES, AND REQUESTS FOR PRODUCTION  
TO DEFENDANT**

Under Federal Rules of Civil Procedure 26, 33, 34, and 36, plaintiff the United States submits the following requests for admission, interrogatories, and requests for production to defendant William Gardner (referred to as “you” throughout this document). Answers are required within 30 days.

**REQUESTS FOR ADMISSION**

**REQUEST FOR ADMISSION 1:** Admit that, in 2020 and 2021, you practiced dentistry in New Mexico at William C. Gardner D.D.S., P.A., 8200 Carmel Ave. NE, Suite 101, Albuquerque, NM 87122, telephone number 505-828-2669, National Provider Identifier (NPI) 1003905043.

**ANSWER:**

**REQUEST FOR ADMISSION 2:** Admit that, between July 2020 and February 2021, you prescribed controlled substances to dental patients in New Mexico.

**ANSWER:**

**REQUEST FOR ADMISSION 3:** Admit that you wrote or caused to be written the prescriptions produced to you in this case at **USA 000057–000223**.

**ANSWER:**

**REQUEST FOR ADMISSION 4:** Admit that, when you write prescriptions in your dental practice, you do so intending that your patients get those prescriptions filled.

**ANSWER:**

**REQUEST FOR ADMISSION 5:** Admit that, when you write prescriptions in your dental practice, you do so knowing that your patients will likely get those prescriptions filled.

**ANSWER:**

**REQUEST FOR ADMISSION 6:** Admit that your license to practice dentistry in New Mexico (License No. DD1867) was revoked, effective July 17, 2020.

**ANSWER:**

### **INTERROGATORIES**

**INTERROGATORY 1:** If you deny that you wrote or caused to be written any prescription produced to you in this case at **USA 000057–000223** (request for admission 3), explain the grounds for your denial for each prescription.

**ANSWER:**

**INTERROGATORY 2:** If you deny that your license to practice dentistry in New Mexico (License No. DD1867) was revoked, effective July 17, 2020 (request for admission 6), explain the grounds for your denial, identifying the specific documents that

you rely on from the New Mexico Board of Dental Health Care and the trial and appellate courts of the State of New Mexico.

**ANSWER:**

**INTERROGATORY 3:** Identifying the specific documents that you rely on from the New Mexico Board of Dental Health Care and the trial and appellate courts of the State of New Mexico, explain the grounds for your assertion in your answer that the “purported revocation of [your] license to practice dentistry in Board Case No. 18-61-COM is not an effective revocation of [your] license” because, “[a]lthough the state District Court purportedly lifted a stay and allowed the Board to proceed, the Board never proceeded and there was never, therefore, an effective revocation of [your] license.” ECF 4 at 2–3.

**ANSWER:**

**INTERROGATORY 4:** Identify, by their full name, address, telephone number, and email address, all persons who assisted you with writing or preparing prescriptions for your dental patients in New Mexico between July 2020 and February 2021.

**ANSWER:**

**INTERROGATORY 5:** Identify, by their full name, address, telephone number, and email address, all persons, excluding you, who worked at your dental practice in New Mexico between July 2020 and February 2021.

**ANSWER:**

**INTERROGATORY 6:** Describe your affiliation or involvement of any kind with the New Mexico Center for Cosmetic & Family Dentistry, 201 Wyoming Blvd. NE, Albuquerque, NM 87123.

**ANSWER:**

### **REQUEST FOR PRODUCTION**

**REQUEST FOR PRODUCTION 1:** If you deny that you wrote or caused to be written any prescription produced to you in this case at **USA 000057–000223** (request for admission 3), produce the documents that you rely on to support your denial for each prescription.

**RESPONSE:**

**REQUEST FOR PRODUCTION 2:** If you deny that your license to practice dentistry in New Mexico (License No. DD1867) was revoked, effective July 17, 2020 (request for admission 6), produce the documents that you rely on to support your denial.

**RESPONSE:**

**REQUEST FOR PRODUCTION 3:** Produce the documents that you contend support your assertion in your answer that the “purported revocation of [your] license to practice dentistry in Board Case No. 18-61-COM is not an effective revocation of [your] license” because, “[a]lthough the state District Court purportedly lifted a stay and allowed the Board to proceed, the Board never proceeded and there was never, therefore, an effective revocation of [your] license.” ECF 4 at 2–3.

**RESPONSE:**

JUNE 1, 2023

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*United States Attorney*

*s/ Benjamin G. Minegar*

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